

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED, ADJUDGED AND DECREED that the Defendant's Motion is GRANTED; Plaintiff's Motion is DENIED and this matter is AFFIRMED.(BOYLE, J)

This Judgment Filed and Entered on August 7, 2007, and Copies To:

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/s/ Dennis P. Iavarone, Clerk of Court